

ORIGINAL

United States Court of Federal Claims

No. 14-514 C

November 20, 2014

FILED

RICHARD BURCH, JR.,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

NOV 20 2014

U.S. COURT OF
FEDERAL CLAIMS

ORDER DISMISSING CASE

On October 6, 2014, the court issued an Order to Show Cause directing plaintiff, *pro se*, to file his opposition to defendant's motion to dismiss for lack of subject matter jurisdiction, pursuant to the Rules of the Court of Federal Claims ("RCFC") 12(b)(1) by November 5, 2014. The Order explained that plaintiff's case would be dismissed pursuant to RCFC 41(b),¹ for failure to prosecute, if plaintiff had not set forth in writing by November 5, 2014 his opposition to defendant's motion to dismiss. To date, plaintiff has filed no response to defendant's said motion to dismiss.

In consideration of the above, this CASE is DISMISSED WITHOUT PREJUDICE, pursuant to RCFC 41(b), for failure to prosecute. The Clerk is hereby directed to take the necessary steps to dismiss this matter.

IT IS SO ORDERED.


Lawrence J. Block
Judge

¹ RCFC 41(b) provides: "If the plaintiff fails to prosecute or to comply with these rules or a court order, the court may dismiss on its own motion or the defendant may move to dismiss the action or any claim against it."